

United States District Court

United States District Court
Southern District of Texas
FILED

SOUTHERN

DISTRICT OF
McALLEN DIVISION

TEXAS

FEB 22 2015

UNITED STATES OF AMERICA

David J. Bradley, Clerk

V.

CRIMINAL COMPLAINT

Martin Vera-Cano

Principal

A087 914 789

YOB: 1991

Mexico

Case Number:
M-15-0275-M

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about February 20, 2015 in Hidalgo County, in the Southern District of Texas defendants(s) did,
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Favio Vazquez-Rodriguez, citizen of Mexico, and Cecilio Gomez-Baten, citizen of Guatemala, along with five (5) other undocumented aliens, for a total of seven (7) who had entered the United States in violation of law, did knowingly transport, or move or attempt to transport, by foot, said aliens in furtherance of such violation of law within the United States, that is, from a location near Mission, Texas to the point of arrest near Mission, Texas,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONY

I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On February 20, 2015, Border Patrol Agent Robert Gentry Jr. responded to possible illegal alien traffic, after the Hardwickes RAID Tower reported a group of subjects making their way north near Bentsen State Park. Agent Gentry was able to apprehend 8 subjects inside the Retama Village Trailer Park near Bentsen State Park. All 8 subjects freely admitted to being illegally present in the United States. They were then transported to the McAllen Border Patrol Station for processing.

At the McAllen Border Patrol Station, the group was interviewed, and Martin VERA-Cano was identified as the group's foot guide.

Continued on the attached sheet and made a part of this complaint

☒ Yes ☐ No

Signature of Complainant

Michael Garza Senior Patrol Agent

Printed Name of Complainant

Sworn to before me and subscribed in my presence,

February 22, 2015

Date

McAllen, Texas
City and State

Peter E. Ormsby

U. S. Magistrate Judge

Name and Title of Judicial Officer

Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-15-0275-M

RE: Martin Vera-Cano

A087 914 789

CONTINUATION:

PRINCIPAL'S STATEMENT:

Martin VERA-Cano was read his rights. He stated he was willing to provide a statement without the presence of an attorney.

VERA told agents he was caught by Border Patrol with a group of 7 undocumented aliens, which he was being paid to smuggle to an unknown location. He was to be paid \$300 dollars by a man known to him as El Tamara. VERA told agents he has been apprehended smuggling aliens previously.

NOTE: Agents processed VERA on a 1 on 6 Administrative Smuggling case on 1/13/15. He was not prosecuted on that occasion.

There were no unaccompanied minors in this case.

MATERIAL WITNESSES' STATEMENTS:

Both material witnesses were read their rights. Both stated they were willing to provide statements without the presence of an attorney.

1- Favio Vazquez-Rodriguez told agents smugglers charged his uncle \$2,300 (USD) to be smuggled to Houston, Texas. According to Vazquez, there was one foot guide originally, but he abandoned the group in the United States when they encountered Border Patrol. The group then became lost in the brush, until another foot guide found them and told them he was the new foot guide. The new foot guide told them he had been looking for them all night. He then led the way and told everyone to follow him and to stay quiet. Vazquez identified VERA in a photo lineup as the foot guide that found them and led them out of the brush.

2- Cecilio Gomez-Baten told agents he was charged \$5,000 (USD) to be smuggled into the United States. Gomez stated there was a foot guide that smuggled them across the river and through the brush for a short distance, until they encountered Border Patrol, when he abandoned the group. After attempting to find their own way, the group became lost in the brush. The next morning, a different person found them in the brush and told them he was going to be the foot guide. He told the group to be quiet and follow him. Gomez identified VERA in a photo lineup as the second foot guide.